

107TH CONGRESS
2^D SESSION

H. RES. _____

Expressing the sense of the House of Representatives that the President should press for the immediate adoption of a United Nations Security Council resolution establishing an ad hoc international tribunal to try members of the Iraqi regime for war crimes and crimes against humanity, and take steps to ensure such a tribunal is fully operational without delay.

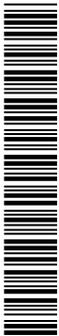
IN THE HOUSE OF REPRESENTATIVES

Mr. DELAHUNT submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Expressing the sense of the House of Representatives that the President should press for the immediate adoption of a United Nations Security Council resolution establishing an ad hoc international tribunal to try members of the Iraqi regime for war crimes and crimes against humanity, and take steps to ensure such a tribunal is fully operational without delay.

Whereas for more than two decades Saddam Hussein and other Iraqi officials have committed crimes against humanity and acts of aggression against the people of Iraq and neighboring countries;



Whereas the Iraqi regime used poison gas against the Iranian people during the 1980–1988 Iran-Iraq war as a matter of policy;

Whereas the Iraqi regime has severely repressed the Kurdish population in Iraq through the use of chemical weapons, summary executions, the widespread destruction of villages, the placement of more than ten million land mines in Iraqi Kurdistan, and the forced relocation of hundreds of thousands of ethnic Kurds and Turkomen;

Whereas the Iraqi regime has carried out severe repression against Marsh Arabs and Shi'a Arabs in southern Iraq, expelling entire villages, burning houses and fields, demolishing houses with bulldozers, draining and poisoning marshes, and summarily executing thousands of civilians, including the assassination of Shi'a clerics;

Whereas the status and whereabouts of more than six hundred Kuwaitis who were taken prisoner during the Persian Gulf War remain unknown and unaccounted for by the Iraqi Government;

Whereas Kuwait continues to be plagued by unexploded land mines laid by Iraqi forces, and the destruction of Kuwait by departing Iraqi troops has yet to be redressed by the Iraqi Government;

Whereas Saddam Hussein has summarily tortured and killed political opponents and created an environment of terror, fear, and repression within Iraq;

Whereas the Republic of Iraq is a signatory to the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide and other human rights instruments, and the Geneva



Convention on the Treatment of Prisoners of War of August 12, 1949, and is obligated to comply with these international agreements;

Whereas the United Nations Security Council, with full American support, has established ad hoc international criminal tribunals for the former Yugoslavia, Rwanda, and Sierra Leone to bring to justice individuals responsible for war crimes and crimes against humanity in those countries;

Whereas the Congress, through legislation and the appropriation of funding, has repeatedly demonstrated commitment to the organization of a similar ad hoc international tribunal for the purpose of prosecuting Saddam Hussein and other Iraqi officials responsible for war crimes and crimes against humanity;

Whereas the evidence against the Iraqi regime is substantial and readily available;

Whereas it is uncertain that Saddam Hussein and others in his regime would be subject to the jurisdiction of the International Criminal Court;

Whereas an ad hoc international tribunal on Iraq would provide a critical forum for demonstrating the heinous nature of the Iraqi regime and help provide the moral authority for pursuing other options to diminish or eliminate the threat posed by Saddam Hussein and his associates to Iraq's neighbors and to the Iraqi people;

Whereas the core of American democracy is respect for the rule of law and the protection of fundamental human rights; and

Whereas the Congress is committed to ensuring that Saddam Hussein and his closest accomplices are held fully ac-



countable for the horrendous atrocities carried out under their direction and supports international efforts to achieve this objective: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) deplores the Iraqi Government's pattern of
3 gross violations of human rights, which has resulted
4 in a pervasive system of repression, sustained by the
5 widespread use of terror and intimidation;

6 (2) condemns the Iraqi Government's repeated
7 defiance of United Nations Security Council Resolu-
8 tions calling on Iraq to fully disarm itself of weapons
9 of mass destruction and condemns the use of such
10 weapons against the people of Iraq and neighboring
11 countries;

12 (3) denounces the refusal of the Iraqi govern-
13 ment to comply with international human rights in-
14 struments to which it is a party and cooperate with
15 international monitoring bodies and compliance
16 mechanisms, including accounting of Kuwaiti pris-
17 oners;

18 (4) expresses concern that the United States
19 and the international community have failed to act
20 to bring Saddam Hussein and his closest accom-
21 plices to justice; and

22 (5) urges the President and the Secretary of
23 State to—



1 (A) press for the immediate adoption of a
2 United Nations Security Council resolution es-
3 tablishing an ad hoc international tribunal for
4 the purpose of prosecuting Saddam Hussein
5 and his closest accomplices who are responsible
6 for war crimes and crimes against humanity;
7 and

8 (B) take steps to ensure such an ad hoc
9 international tribunal on Iraq is fully oper-
10 ational without delay and provide full support,
11 in concert with our allies and the United Na-
12 tions, to assist the tribunal in fulfilling its man-
13 date.

